

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

CRAIG CUNNINGHAM

v.

LIFESTYLES DEVELOPMENT, LLC,
ET AL.

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Civil Action No. 4:19-CV-00006

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(Judge Mazzant/Judge Nowak)

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MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 8, 2019, the report of the Magistrate Judge (Dkt. #61) was entered containing proposed findings of fact and recommendations that Defendant RCI, LLC's Motion to Dismiss Plaintiff's Original Complaint (Dkt. #26) be denied without prejudice and Plaintiff be granted leave to file an amended complaint.

Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant's Motion to Dismiss Plaintiff's Original Complaint (Dkt. #26) is **DENIED WITHOUT PREJUDICE**.

It is further **ORDERED** that within fourteen (14) days of the date of this Memorandum, Plaintiff shall file an Amended Complaint with respect to his claims against remaining Defendants Lifestyles Development, LLC, RCI, LLC, and David Perme.

IT IS SO ORDERED.

SIGNED this 10th day of September, 2019.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE